

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

DANA ALBRECHT,
Plaintiff

Civil Action No. 1:25-CV-00093

v.

JUDGE JOHN PENDLETON, solely in his
official capacity as a Judge of the New
Hampshire Circuit Court;

REFEREE SCOTT MURRAY, solely in his
official capacity as a referee pursuant to
N.H. Rev. Stat. § 490-F:15 for the State of
New Hampshire;

JUDGE ELLEN CHRISTO, solely in her
official capacity as the Administrative
Judge of the New Hampshire Circuit Court,
and her successor(s) in office;

CHIEF JUSTICE GORDON
MACDONALD,
JUSTICE JAMES P. BASSETT, JUSTICE
ANNA BARBARA HANZ MARCONI,
JUSTICE PATRICK E. DONOVAN,
JUSTICE MELISSA COUNTWAY, solely
in their official capacities as justices of the
New Hampshire Supreme Court, and their
successor(s) in office;

ERIN CREEGAN, solely in her official
capacity as General Counsel of the New
Hampshire Judicial Branch, and her
successor(s) in office,

TRACY MEYER, solely in her official
capacity as the Clerk of the 10th Circuit
District Court, Hampton, New Hampshire,
and her successor(s) in office;

(continued on next page)

THE 24 MEMBERS OF THE
NEW HAMPSHIRE JUDICIAL COUNCIL,
solely in their official capacities as
members of the council, and their
successor(s) in office;

CHARLES M. ARLINGHAUS, solely in his
official capacity as Commissioner at the
New Hampshire Department of
Administrative Services, and his
successors(s) in office;

THE NEW HAMPSHIRE PUBLIC
DEFENDER; a 501(c)(3) corporation;

JOHN FORMELLA, solely in his official
capacity as Attorney General of the State
of New Hampshire, and his successor(s) in
office;

JOHN VENTURA, solely in his official
capacity as Police Prosecutor for the Town
of Seabrook, New Hampshire, and his
successor(s) in office;

DANIEL LAWRENCE, solely in his official
capacity as Sergeant for the Seabrook
Police Department, and his successor(s)
in office;

KASSANDRA STORMS a/k/a
KASSANDRA KAMINSKI, solely in her
official capacity as a patrol officer for the
Seabrook Police Department, and her
successor(s) in office;

THE TOWN OF SEABROOK, a municipal
corporation in New Hampshire;

(continued on next page)

THOMAS W. FOWLER, solely in his official capacity as Chief of Police for the Town of Salisbury, Massachusetts, and his successor(s) in office;

ANTHONY KING, solely in his official capacity as former Lieutenant of the Police Department for the Town of Salisbury, Massachusetts, and his successor(s) in office;

PATRICK SZYMKOWSKI, solely in his official capacity as a patrol officer of the Police Department for the Town of Salisbury, Massachusetts, and his successor(s) in office;

THE TOWN OF SALISBURY, a municipal corporation in Massachusetts,

Defendants

DEFENDANTS' MOTION TO DISMISS

NOW COMES the Defendants, Town of Salisbury, Thomas W. Fowler, Patrick Szymkowski, and Anthony King, pursuant to Federal Rules of Civil Procedure Rule 12(b)(6), who respectfully request that this Honorable Court dismiss Plaintiffs' Amended Complaint in its entirety. If the Court finds that dismissal in the entirety is not proper, the Defendant requests dismissal of those claims and parties as the Court sees fit. A memorandum of law is submitted separately in support herewith.

Respectfully submitted,
Town of Salisbury, Thomas W. Fowler,
Patrick Szymkowski and Anthony King,

By their attorney,

/s/ Liam Scully

Liam D. Scully
Scully & Lagos

Ten Post Office Square
Suite 1330
Boston, MA 02109
(617) 307-5056
N.H. Bar No. 16875

/s/ Joseph A. Padolsky
Joseph A. Padolsky (BBO# 679725)
Douglas I. Louison (BBO# 545191)
Louison, Costello, Condon & Pfaff, LLP
Ten Post Office Square, Suite 1330
Boston, MA 02109
jpadolsky@lccplaw.com
dlouison@lccplaw.com
(617) 439-0305

Dated: July 14, 2025

Certificate of Service

I, Joseph A. Padolsky, hereby certify that on this date a copy of the foregoing filing was forwarded to counsel of record, via ECF.

/s/ Joseph A. Padolsky
Joseph A. Padolsky

Dated: July 14, 2025